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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

LANCE JOHNSON and ANTHONY  
ABERNATHY,

Defendants.  
-----X

21 CR 323 (VM)  
ORDER

**VICTOR MARRERO, U.S.D.J.:**

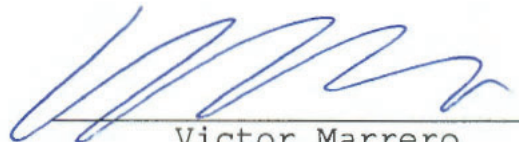
Counsel for the Government, with the consent of counsel for Defendants (see Attached Letter), requests that the status conference currently scheduled for September 10, 2021 be rescheduled. The conference shall be scheduled for Friday October 15, 2021 at 11:00 a.m.

All parties to this action consent to an exclusion of time from the Speedy Trial Act until October 15, 2021.

It is hereby ordered that time until October 15, 2021 shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the Defendant and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h) (7) (B) (i) & (iv).

**SO ORDERED:**

Dated: New York, New York  
09 September 2021

  
Victor Marrero  
U.S.D.J.



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

September 7, 2021

**BY EMAIL**

The Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Lance Johnson and Anthony Abernathy, 21 Cr. 323 (VM)***

Dear Judge Marrero:

The Government writes, with consent of defense counsel, to respectfully request an adjournment of the September 10, 2021 conference that is currently scheduled in the above-captioned case. The parties have conferred, and the Government understands that defense counsel would like additional time to review the discovery. Accordingly, the Government respectfully requests that the conference be adjourned for approximately 30 days, to the week of October 11, 2021. The Government understands that defense counsel are available on October 13, 2021 and October 15, 2021. The Government is available at the Court's convenience.

The Government also respectfully requests that time be excluded until the next conference date, pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The proposed exclusion would permit the defense to continue reviewing discovery and consider any pretrial motions, and for the parties to discuss any potential pretrial dispositions. The Government respectfully submits that the proposed exclusion would be in the interest of justice. Defense counsel consent to the exclusion of time.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney for the  
Southern District of New York

By: 

David J. Robles  
Assistant United States Attorney  
(212) 637-2550

Cc: All counsel of record